

REMARKS

I. Examiner's Objections to Lack of Guidance

Examiner remarked that there was no guidance in the independent claims as to what is local and what is remote. Independent claims 1 and 13 have been amended to provide such guidance. Thus, Applicant respectfully requests the Examiner to withdraw the objections.

II. The 35 U.S.C. §102 Rejections

Claims 1-3, 9, 13-15, and 21 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,694,546 issued to Reisman (“REISMAN”). Examiner remarked that rejections and citations given in the previously office action were allegedly not explicitly addressed. Applicant respectfully maintains the traversal of the rejections as presented in the previous response and will sequentially address each Examiner's citation below.

A. Overview

REISMAN discloses a system for providing an “augmented information product.” REISMAN, col. 6, lines 25-29. Specifically, the system automatically retrieves a “pre-identified object” from a remote object source and integrates the pre-identified object with an existing information product at the user workstation to create the augmented information product. REISMAN, col. 6, lines 30-47.

As will be shown below, REISMAN does not disclose or suggest a method for managing a cache on a mobile device as recited in claim 1.

B. Claim 1

It is axiomatic that the cited references in a §102 rejection must disclose every element in the rejected claim. MPEP 2143.03. Claim 1 recites a method of managing a cache on a mobile device, comprising the steps of:

“receiving a call for loading a set of files at a mobile device, said set of files including an application or data;
searching a local database at said mobile device for a matching record to said set of files;
based on said matching record, determining if said set of files is out-of-date or if a scheduled update is overdue;
updating said set of files if it is out-of-date;
performing a status check or update if said scheduled update is overdue; and
loading said set of files if it is not out of date and said scheduled update is not overdue.”

As demonstrated below, Applicant respectfully submits that REISMAN does not disclose or suggest multiple steps as recited in claim 1.

1. REISMAN Fails to Disclose Or Suggest the Step of Searching A Local Database at a Mobile Device for A Matching Record

Examiner cited col. 6, lines 24-47 of REISMAN for allegedly disclosing this step. The cited portion in REISMAN discloses a fetch module configured to fetch pre-identified object from an object source and a communications manager configured to establish and manage connection to the object source. *Id.* The technique disclosed in REISMAN allows “activation of automated transport of an information object between a remote object source and a user’s computer station.” REISMAN, col. 5, lines 9-11.

In contrast, upon receiving a call to a set of files at a mobile device, claim 1 recites a method that searches a local database at the mobile device for a matching record to the called files. REISMAN does not disclose a system that performs a search in a local database for a matching record upon receiving a call for a set of files. Instead, REISMAN searches a remote object source for a pre-identified object. Thus, REISMAN does not disclose or suggest this step as recited in claim 1.

2. REISMAN Fails to Disclose Or Suggest the Step of Determining If Said Set of Files Is Out-Of-Date Or If A Scheduled Update Is Overdue, Based on Said Matching Record

Examiner cited cols. 31-45 and col. 6, lines 53-61 of REISMAN for allegedly disclosing this step. It is unclear to the Applicant which specific portion in REISMAN is being referred to by the first citation. Col. 6, lines 53-61 of REISMAN discloses an information object that “prompts the user for initiation of a transport operation at a scheduled date after distribution of the containing product, or fetches a schedule.” Id. Thus, the user is automatically prompted for an update at a scheduled time, regardless of whether an update is required.

In contrast, claim 1 recites the step of determining if a record found in a local database requires an update. REISMAN does not disclose a system that performs a determination of whether any record in a local database is outdated. Instead, REISMAN discloses a technique for automatically prompting an update at a predetermined schedule regardless of whether an update is needed. Thus, Applicant respectfully submits that neither the cited portion nor anywhere else in REISMAN discloses or suggests this step as recited in claim 1.

3. REISMAN Fails to Disclose Or Suggest the Step of Updating Said Set of Files If It Is Out-Of-Date

The Examiner did not cite any specific portion of REISMAN for disclosing this step. REISMAN system automatically retrieves a pre-identified object from a remote object source. REISMAN, col. 6, lines 24-29.

Claim 1 recites the step of updating the matching record if it is out-of-date. REISMAN does not disclose the step of determining whether a record is outdated prior to obtaining an update. Therefore, logically, REISMAN cannot disclose the step of updating a record after determining that the record needs updating. Thus, REISMAN does not disclose or suggest this step as recited in claim 1.

4. REISMAN Fails to Disclose or Suggest the Step of Performing a Status Check

The Examiner did not cite any specific portion of REISMAN for disclosing this step.

Claim 1 also recites the step of performing a status check. REISMAN does not disclose or suggest any method for performing a status check. In contrast,

REISMAN discloses a technique for automatically retrieving a pre-identified object in accordance with a schedule. REISMAN does not disclose or suggest any method for checking the status of the existing information product. Thus, REISMAN does not disclose or suggest this step as recited in claim 1.

Based on the foregoing, Applicant respectfully submits that REISMAN does not disclose or suggest multiple steps recited in claim 1. Thus, claim 1 should be in condition for allowance.

C. Claims 2-3 and 9

Claims 2-3 and 9 are dependent upon claim 1 and therefore should also be in condition for allowance.

D. Claim 13

Independent claim 13 recites a computer program product comprising logic code that, when executed, perform the steps as recited in claim 1. Based on Applicant's foregoing arguments with respect to claim 1, Applicant believes that claim 13 is also not anticipated by REISMAN and should be in condition for allowance.

E. Claims 14-15 and 21

Claims 14-15 and 21 are dependent upon claim 13 and therefore should also be in condition for allowance.

III. The 35 U.S.C. §103 Rejections

Claims 4-8, 10-12, 16-20, and 22-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over REISMAN. Applicant respectfully traverses the rejections.

A. Claims 4-8 and 10-12

Claims 4-8 and 10-12 are dependent upon independent claim 1. Based on the foregoing arguments with respect to independent claim 1, Applicant respectfully submits that the 103 rejections are moot and these dependent claims should also be in condition for allowance.

B. Claims 16-20 and 22-24

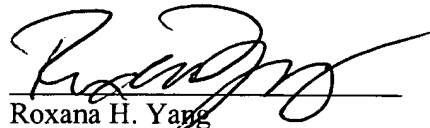
Claims 16-20 and 22-24 are dependent upon independent claim 13. Based on the foregoing arguments with respect to independent claim 13, Applicant respectfully submits that the 103 rejections are moot and these dependent claims should also be in condition for allowance.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance. Should the Examiner believe that a telephone interview would help advance the prosecution of this case, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

By:



Roxana H. Yang
Registration No. 46,788

Law Office of Roxana H. Yang
P.O. Box 3986
Los Altos, CA 94024
(408)749-8098